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10/670,455	09/24/2003	Robert John Sullivan	CDM/8466.9999	5512
<div>7590      05/02/2007</div> <div>Chernoff Vilhauer McClung &amp; Stenzel, L.L.P.</div> <div>1600 ODS Tower</div> <div>601 SW Second Avenue</div> <div>Portland, OR 97204-3157</div>				
			EXAMINER	
			TANG, KAREN C	
			ART UNIT	PAPER NUMBER
			2151	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/670,455	Applicant(s) SULLIVAN ET AL.	
	Examiner Karen C. Tang	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/24/03</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. Claims 1-15 are presented for examination.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The word “substantially” is indefinite, therefore, does not place any patentable weight.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 6 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

“delaying for a time interval shorter than a predetermined time interval, issuing a search request to the predefined search engine”.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 8, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant Admitted Prior Art (AAPA, Background Invention).

2. Referring to Claim 1, AAPA disclosed a method of producing an alternate referrer page substantially similar to a referrer page previously viewed, through a web browser, by a visitor who linked to a target web page via a link on the previously viewed referrer page, the method comprising, when the web browser links to the target web page: (a) obtaining a referrer URL for the web page from which the web browser loaded the target web page (refer to 0008, Page 3, Lines 1-8, and Col 11, Lines 1-7, and 0011); and, (b) issuing a request for a web page corresponding to the referrer URL to obtain the alternate referrer page (refer to 0012, lines 1-2 ).

3. Referring to Claim 8, AAPA disclosed method of producing alternate search engine search results pages substantially similar to search engine search results pages previously viewed, through a web browser, by a visitor who supplied one or more keywords to a search engine and linked to a target web page via a link on the previously viewed search engine search results pages, the method comprising, when the web browser links to the target web page: (a) obtaining a referrer URL for the web page from which the web browser loaded the target web page (refer to 0008, Page 3, Lines 1-8, and Col 11, Lines 1-7, and 0011); (b) parsing the referrer URL to determine whether the referrer URL contains a search engine identifier for a predefined

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search engine (refer to 0011, lines 8-10); (c) if the referrer URL contains a search engine identifier for a predefined search engine, further parsing the referrer URL to locate any keywords contained in the referrer URL (keywords, refer to 0011); and, (d) if the referrer URL contains any keywords, issuing to the predefined search engine a search request for the keywords contained in the referrer URL to obtain the alternate search engine search results pages from the search engine (to produce a rank report, refer to 0011).

4. Referring to Claims 3 and 10, a method as defined in claim 8, further comprising: (a) searching the alternate search engine search results pages to locate a target URL for the target web page within the alternate search engine search results pages (search the result pages and analyzed, refer to 0010; Lines 1-14); (b) determining the target URL's position relative to the start of the alternate search engine search results pages and assigning that position as the target URL's rank (refer to 0010, Lines 1-14); and, (c) storing the target URL, the target URL's rank, the keywords and the search engine identifier (rank report contains information such as target URL, rank, keywords and search engine identifier, thus, it is being stored in the rank report.).

5. Referring to Claims 4 and 12. AAPA disclosed obtaining the referrer URL by embedding a web browser-executable code module in the target web page and executing the code module when the web browser loads the target web page (the target URL on target web page is formulated via code, in order for AAPA to obtained the referrer URL, the code must be executed on target web page in order to obtained the referrer URL).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2, 7, 9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA, Background Invention) in view of Bates et al hereinafter Curtiss et al hereinafter Curtiss (US 2005/0060312) in further view of Dougliis et al hereinafter Dougliis "The AT&T Internet Differences Engine: Tracking and viewing changes on the web".

6. Referring to Claim 7, AAPA disclosed a method of producing alternate referrer pages substantially similar to referrer pages previously viewed, through a web browser, by a visitor who linked to a target web page via a link on the previously viewed referrer pages, the method comprising, when the web browser links to the target web page: (a) obtaining a referrer URL for the web page from which the web browser loaded the target web page (refer to 0008, Page 3, Lines 1-8, and Col 11, Lines 1-7, and 0011); (d) creating a queue entry containing the referrer URL (refer to 0017, log file);

Although AAPA disclosed the invention substantially as claimed, AAPA is silence regarding (b) obtaining the IP address of the computer running the web browser;

Curtissa in an analogous art disclosed (b) obtaining the IP address of the computer running the web browser (refer to 0059);

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Hence, obtaining the IP address of the computer running the web browser disclosed by Curtissa, would be desired for user to implement in the search engine when gathered necessary information to allow specialized database.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further classified information which is gathered by the search engine.

Although AAPA disclosed the invention substantially as claimed, AAPA is silence regarding (c) determining a country code corresponding to the IP address (refer to 0013, Lines 1-9)

Curtissa, in an analogous art disclosed (c) determining a country code corresponding to the IP address (refer to 0059);

Hence, providing country code corresponding to the IP address disclosed by Curtissa, would be desired for user to implement in the search engine when gathered necessary information to allow specialised database.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further classified information which is gathered by the search engine.

Althought AAPA and Curtissa disclose the invention substantially as claimed, both AAPA and Curtissa are silence regarding (e) inspecting the queue at predefined time intervals to determine whether the queue contains an unexamined entry; and, (f) if the queue contains an unexamined entry, issuing a request for the referrer URL contained in the unexamined entry through a computer to obtain the alternate referrer pages.

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Douglis disclosed (e) inspecting the queue at predefined time intervals (periodic run, refer to 3. System architecture, Lines 20-23) to determine whether the queue contains an unexamined entry (giving URL to track, is stored in the queue, so the system is continuously tracking, refer to 2.3 Recursion, lines 1-5 refer to 2.2 Prioritization, Lines 17-29, archived the version of URL, and tracked on changes, and new URL, should be saved and examined, refer to 3. System architecture, page 30, Lines 1-26); and, (f) if the queue contains an unexamined entry, issuing a request for the referrer URL contained in the unexamined entry through a computer to obtain the alternate referrer pages (saved the new version of URL, refer to 3. System architecture, page 30, Lines 1-26 and 3.1 Notification, Lines 32-38).

Hence, providing these limitations disclosed by Douglis, would be desired for user to implement in the system in order to keep up to the change that occurred in the system.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further keep track of the changes and updates that occurred in the internet.

7. Referring to Claims 2, 9 and 15, AAPA disclosed method of producing alternate search engine search results pages substantially similar to search engine search results pages previously viewed, through a web browser, by a visitor who supplied one or more keywords to a search engine and linked to a target web page via a link on the previously viewed search engine search results pages, the method comprising, when the web browser links to the target web page: (a) obtaining a referrer URL for the web page from which the web browser loaded the target web page (refer to 0008, Page 3, Lines 1-8, and Col 11, Lines 1-7, and 0011); (b) parsing the referrer



URL to determine whether the referrer URL contains a search engine identifier for a predefined search engine (refer to 0011, lines 8-10); (c) if the referrer URL contains a search engine identifier for a predefined search engine, further parsing the referrer URL to locate any keywords contained in the referrer URL (keywords, refer to 0011); and, (d) if the referrer URL contains any keywords, issuing to the predefined search engine a search request for the keywords contained in the referrer URL to obtain the alternate search engine search results pages from the search engine (to produce a rank report, refer to 0011).

Although AAPA disclosed the invention substantially as claimed, AAPA is silence regarding (b) obtaining the IP address of the computer running the web browser;

Curtissa in an analogous art disclosed (b) obtaining the IP address of the computer running the web browser (refer to 0059);

Hence, obtaining the IP address of the computer running the web browser disclosed by Curtissa, would be desired for user to implement in the search engine when gathered necessary information to allow specialized database.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further classified information which is gathered by the search engine.

Although AAPA disclosed the invention substantially as claimed, AAPA is silence regarding (c) determining a country code corresponding to the IP address (refer to 0013, Lines 1-9)

Curtissa, in an analogous art disclosed (c) determining a country code corresponding to the IP address (refer to 0059);

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Hence, providing country code corresponding to the IP address disclosed by Curtissa, would be desired for user to implement in the search engine when gathered necessary information to allow specialised database.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further classified information which is gathered by the search engine.

Although AAPA and Curtissa disclose the invention substantially as claimed, both AAPA and Curtissa are silence regarding (e) inspecting the queue at predefined time intervals to determine whether the queue contains an unexamined entry; and, (f) if the queue contains an unexamined entry, issuing a request for the referrer URL contained in the unexamined entry through a computer to obtain the alternate referrer pages.

Douglis disclosed (e) inspecting the queue at predefined time intervals (periodic run, refer to 3. System architecture, Lines 20-23) to determine whether the queue contains an unexamined entry (giving URL to track, is stored in the queue, so the system is continuously tracking, refer to 2.3 Recursion, lines 1-5 refer to 2.2 Prioritization, Lines 17-29, archived the version of URL, and tracked on changes, and new URL, should be saved and examined, refer to 3. System architecture, page 30, Lines 1-26); and, (f) if the queue contains an unexamined entry, issuing a request for the referrer URL contained in the unexamined entry through a computer to obtain the alternate referrer pages (saved the new version of URL, refer to 3. System architecture, page 30, Lines 1-26 and 3.1 Notification, Lines 32-38).

Hence, providing these limitations disclosed by Douglis, would be desired for user to implement in the system in order to keep up to the change that occurred in the system.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further keep track of the changes and updates that occurred in the internet.

Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA, Background Invention) in view of Schuetze et al hereinafter Schuetze (US 6,751,612)

8. Referring to Claims 5 and 13, Although AAPA disclose the invention substantially as claimed, both AAPA is silence regarding (a) caching the alternate search engine search results pages for a predetermined time interval; (b) if another visitor links to the target web page within the predetermined time interval, determining whether the referrer URL obtained for said another visitor corresponds to the cached search engine search results pages; and, (c) if the referrer URL obtained for said another visitor corresponds to the cached search engine search results pages, providing the cached search engine search results pages as the alternate search engine search results pages without issuing a search request to the predefined search engine.

Schuetze disclosed (a) caching the alternate search engine search results pages for a predetermined time interval (update periodically, the result page is being stored during the time then will be altered, refer to Col 4, Lines 30-50); (b) if another visitor links to the target web page within the predetermined time interval, determining whether the referrer URL obtained for said another visitor corresponds to the cached search engine search results pages (the search

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query will hit the website again (as of another visitor), and decide whether or not any content has altered, refer to Col 5, Lines 1-15, and Lines 46-67); and, (c) if the referrer URL obtained for said another visitor corresponds to the cached search engine search results pages, providing the cached search engine search results pages as the alternate search engine search results pages without issuing a search request to the predefined search engine (only would provide result page when pages are altered, if not, then no report need to generate).

Hence, providing these limitations disclosed by Schuetze, would be desired for user to implement in the system in order to keep up to the change that occurred in the system.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further keep track of the changes and updates that occurred in the internet.

9. Referring to Claims 6 and 14, Although AAPA disclose the invention substantially as claimed, both AAPA is silence regarding method as defined in claim 8, further comprising delaying for a time interval shorter than a predetermined time interval, issuing a search request to the predefined search engine.

Schuetze disclosed comprising delaying for a time interval shorter than a predetermined time interval, issuing a search request to the predefined search engine (the system will issue a request to the predefined search engine when a default frequency is not being utilized, rather, used specified time interval, refer to Col 4, Lines 30-50).

Hence, providing these limitations disclosed by Schuetze, would be desired for user to implement in the system in order to keep up to the change that occurred in the system.

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Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of AAPA by including the features which is able to further keep track of the changes and updates that occurred in the internet.

10. Referring to Claims 11. AAPA disclosed a method as defined in claim 10, further comprising, before parsing the referrer URL to determine whether the referrer URL contains a search engine identifier: (a) extracting site ID and domain ID parameters from the target URL (URL from the target site, is the site ID, within URL, it contains the domain ID, refer to 0008); and,

Although AAPA disclosed invention substantially as claimed, AAPA is silence regards to (b) if the extracted site ID and domain ID parameters do not correspond to a predefined target web page, terminating the method.

However, it is obvious for ordinary skill in the art to utilize the determination whether the information desired being extract is correct, due to the fact that there might be errors due to the software malfunction, and if malfunction occurs, the process would end.

### *Conclusion*

11. **Examiner's Notes:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is

respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

12. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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